

### **Remarks/Arguments**

Reconsideration of this application, as amended, is respectfully requested.

This amendment is submitted in response to the Office Action mailed December 17, 2008.

The undersigned wishes to thank the Examiner for courtesies extended during teleconferences of July 30, 2009, and August 14, 2009. As explained to the Examiner, applicants never received the office action mailed December 17, 2008. After the July 30, 2009 teleconference, applicants obtained the office action from PAIR, and contacted the Examiner on August 14. As discussed, applicants now file a response to the December 17, 2008 Office Action.

#### **I. Status of the Claims**

After entry of these amendments, claims 1-3, 5-9, 12-19 and 21 are pending.

Claims 1 and 19 are amended to delete unelected subject matter, and claim 4 is canceled.

Method of treatment claim 23 is canceled.

#### **II. Restriction Requirement**

In the office action mailed August 19, 2008, the Examiner required restriction among one of twenty separate R<sup>1</sup> groups. Applicants elected the Group I claims, wherein R<sup>1</sup> is phenyl or naphthyl. The subject matter of Groups II to XX were withdrawn from further consideration.

The Examiner has now made the restriction final. Applicants now amend the claims accordingly. Claims 1 and 19 are canceled to delete unelected subject matter, and claim 4 (which covered unelected subject matter) is canceled.

In view of the action taken, it is requested that the restriction requirement be withdrawn.

#### **III. Rejection Under 35 U.S.C. § 112, First Paragraph**

Claim 23 stands rejected under 35 U.S.C. § 112, first paragraph, as lacking enablement. Claim 23 is canceled, thereby obviating this rejection. It is requested that the rejection be withdrawn.

#### **IV. Acknowledgement of Allowability**

Applicants thank the Examiner for the acknowledgement of allowability of claims 1-9, 12-19 and 21. The claims have been amended to delete unelected subject matter. It is believed that all pending claims are now in condition for allowance.

**V. Conclusion**

In view of the action taken, it is believed that all pending claims 1-3, 6-9, 12-19 and 21 are now in condition for allowance.

Favorable action is earnestly solicited.

Respectfully submitted,

By     /John C. Todaro/  
John C. Todaro, Reg. No. 36,036  
Attorney for Applicants

MERCK & CO., Inc.  
P.O. Box 2000  
Rahway, New Jersey 07065  
Tel.: (732) 594-0125

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